

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services –Treasuries & Accounts Department - Allegations of corruption demand and acceptance of bribe by Sri Khaja Mohamood Ali, STO (Retd), Mancherial, Adilabad District-Trapped on 12.02.2004 in C.C.No.27/2005- convicted - Punishment of withholding of pension and gratuity in full permanently-Orders-Issued.

FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 285

Dt: 01.02.2011

Read the following:

- 1.Lr.Rc.No.55/RCT-KAD/04 dt.24-2-2004 of DG, ACB, Hyderabad.
2. Procs.No.K6/2702/2004, dt.14.02.2004 of DTA., A.P., Hyderabad.
- 3.Lr.Rc.No.55/RCT-KAD/04 dt.30-10-2004 of DG, ACB, Hyderabad.
- 4.G.O.MS.No.22, Finance (Admn-III) Department, dt.03-02-2005
- 5.Judgment dt.20-5-2010 passed in C.C.No.27/05 on the file of the Special Judge for SPE & ACB Cases, Hyderabad
- 6.Lr.Rc.No.55/RCT-KAD/2004 dt.26.05-2010 of DG, ACB, Hyderabad.
- 7.Govt.Memo.No.1141/153/A1/Admn-III/2004, dtd.28-07-2010 of Finance (Admn-III) Department.
- 8.Representation of Sri Khaja Mohamood Ali, STO (Retd), Mancherial, Adilabad District- dtd.15.12.2010.

ORDER:

In the reference 1st read above, the Director General, ACB, Hyderabad has reported that Sri Ch. Ramesh Babu, Senior Accountant and Sri Khaja Mohamood Ali, Sub Treasury Officer, Mancherial, Adilabad District were successfully trapped on 12-02-2004 on the allegations of demanding and acceptance of bribe amount of Rs. 2,000/- from the complainant of Sri Mohd. Ahmed Mohiuddin S/o Masluddin, Resident of Jagityal, Karimnagar District for showing official favour in issuing first pension token pertaining to the mother of the complainant.

2. In the reference 2nd read above, the individual was kept under suspension.

3. Based on the final report of the Director General, ACB, Hyderabad in the reference 3rd read above, orders were issued for prosecution of Sri Khaja Mohamood Ali, Sub Treasury Officer, Mancherial, Adilabad District vide reference 4th read above. The ACB authorities have filed Charge sheet against Sri Khaja Mohamood Ali, Sub Treasury Officer, Mancherial, Adilabad District before the Special Judge for SPE & ACB Cases, Hyderabad on 03.05.2005 and C.C.No. was assigned as 27/2005.

4. In the reference 6th read above the Director General, ACB, Hyderabad reported that the Accused Officer Sri Khaja Mohamood Ali, Sub Treasury Officer, Mancherial, Adilabad District has been convicted by the Special Judge for SPE & ACB Cases, Hyderabad and sentenced to undergo rigorous imprisonment for Six months and to pay a fine of Rs.1000/- for offence U/s 7 of the P.C. act, 1988 and in default to suffer simple imprisonment for one month. Further, he is also convicted and sentenced to under go rigorous imprisonment for one year and to pay a fine of Rs.1000/- each U/s 13(1) (d) r/w 13(2) of the P.C. Act, 1988 and in default to suffer simple imprisonment for one month. Both the sentences were ordered to run concurrently. While enclosing a copy of the judgment the Director General, A.C.B. requested the Government to take further action on the Accused Officer Sri Khaja Mohammad Ali, Sub-Treasury Officer, who retired from the service on 30.11.2008. It was further requested to take immediate action to withhold the pension and Gratuity in full permanently under the A.P. Revised Pension Rules, 1980 as he was convicted in a criminal case in C.C.No. 27/2005.

5. In the reference 7th read above, final show cause notice was issued under Rule 9 of A.P. Revised Pension Rules, 1980 to Sri Khaja Mohammad Ali, Sub-Treasury Officer, (Retired) directing him to explain as to why the punishment of withholding the full pension and gratuity, permanently, should not be imposed on him.

6. In the reference 8th read above, the individual has stated that an appeal was made in Hon'ble High Court of A.P., Hyderabad and requested to suspend the Judgment passed by the Prl. Spl. Judge for SPE & ACB., Hyderabad in C.C. No. 27 of 2005 dated:20.05.2010.

7. Where as the Hon'ble High Court of A.P. has not suspended the whole judgment of Principal Special Judge for SPE& ACB., Cases, Hyderabad. The Hon'ble High.Court., issued orders for suspending the **imprisonment alone imposed on the petitioner** . Now the individual has requested not to impose punishment of withholding pension and gratuity permanently without stating any new grounds/evidences.

8. Government after careful examination hereby impose the major penalty of withholding of pension and gratuity in full permanently on Sri Khaja Mohammad Ali, STO., Retd., Mancherial Adilabad District for his conviction in C.C.No.27/2005 on the file of Special Judge for SPE & ACB Cases, Hyderabad under A.P. Revised Pension Rules, 1980, and as per the instructions issued in Memo.No.178/Spl-C/03-1, dated.07-05-2003 r/w G.O.Ms.No.2, GA (Ser.C) Department, dated.04-01-1999.

9. The Director of Treasuries and Accounts, A.P., Hyderabad shall serve the copy of this order on the individual and return the served copy of the same along with his acknowledgement to the Government urgently.

6. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To

The individual (through the DTA, Hyderabad)

Copy to: The D.T.A., AP, Hyderabad.

The Director General, ACB, Hyderabad

The A.P. Vigilance Commission, Hyderabad

//FORWARDED:: BY ORDER//

SECTION OFFICER